

AMENDED IN ASSEMBLY APRIL 12, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1319

Introduced by Assembly Member Houston

February 23, 2007

An act to ~~add Section 49035 to~~ amend Section 49033 of, and to add Section 49033.5 to, the Education Code, relating to steroid testing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1319, as amended, Houston. Schools: athletes: steroid testing.

Existing law authorizes governing boards of school districts to enter into associations or consortia with other boards for the purpose of governing regional or statewide interscholastic athletic programs by authorizing the public schools under their jurisdictions to enter into a voluntary association with other schools for the purpose of enacting and enforcing rules relating to eligibility for, and participation in, interscholastic athletic programs among and between schools.

Existing law sets forth the rights and responsibilities of pupils in public schools.

Existing law prohibits specified dietary supplements from being used by a pupil participating in interscholastic high school sports 60 days after specified information is posted on the Internet Web site of the State Department of Education, with certain requirements. The California Interscholastic Federation (*CIF*) is required to amend its constitution and bylaws to require that school districts prohibit a pupil from participating in high school sports on and after July 1, 2006, unless that pupil signs a pledge not to use anabolic steroids without a prescription from a licensed health care practitioner or a prohibited

dietary supplement and the parent or guardian of that pupil signs a notification form regarding those restrictions.

~~Existing law also prohibits the marketing, sale, or distribution of prohibited dietary substances on a schoolsite or at a school-related event.~~

~~This bill would prohibit a pupil enrolled in any of grades 9 to 12, inclusive, from participating in interscholastic high school sports unless that pupil and one of his or her parents or legal guardians signs a form consenting to (1) random urinalysis testing for steroid use and (2) mandatory testing for steroid use, if the pupil is a member of a sports team that qualifies to participate in a regional championship, state championship playoff, or state championship game. A school district would be authorized to conduct random urinalysis testing for steroid use to which the specified consent has been given and would be required to conduct mandatory urinalysis testing for steroid use to which the specified consent has been given.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

This bill would require the CIF to amend further its constitution and bylaws to require, as a condition of participation in interscholastic sports, school districts to prohibit a pupil from participating in high school athletics involving a CIF-sanctioned or sponsored athletic competition unless that pupil has (1) consented, in writing, to random urinalysis testing for anabolic steroids and (2) acknowledged, in writing, the description of laws regarding anabolic steroids.

The CIF would be required to adopt rules for and administer an anabolic steroid testing program under which pupils participating in athletics involving CIF-sanctioned or sponsored athletic competition would be tested for the presence of steroids in their bodies pursuant to urinalysis. The testing program would be required to meet certain specifications related to the random selection of 10% of the high schools for testing at 4 different times per school year and the random testing of 10% of the pupils at each selected high school who are participating in athletics after meeting specified requirements. The testing program also would be required to limit the disclosure of testing results, provide a process for testing a backup sample in the case of an initial test result

showing the presence of anabolic steroids, and have the testing of samples be performed by a laboratory certified by a national or international certifying agency.

This bill would require the State Department of Education to contract with the CIF for the CIF to administer the anabolic steroid testing program using funds appropriated for this purpose. The department would be required to apply to the federal government for any funds available for purposes of random testing for anabolic steroids in schools.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 49033 of the Education Code is amended*
2 *to read:*

3 49033. The California Interscholastic Federation (CIF) shall
4 amend its constitution and bylaws to require, as a condition of
5 participation in interscholastic sports, that school districts ~~effective~~
6 *do both of the following:*

7 (a) *Effective July 1, 2006, upon the notification provided*
8 *pursuant to subdivision (b) of Section 49030, shall prohibit a pupil*
9 *from participating in interscholastic high school sports, unless that*
10 *pupil signs a pledge not to use anabolic steroids, as defined in*
11 *Section 802 of Title 21 of the United States Code, without a*
12 *prescription from a licensed health care practitioner or a dietary*
13 *supplement prohibited by Section 49030 and the parent or legal*
14 *guardian of that pupil signs a notification form regarding those*
15 *restrictions.*

16 (b) *Prohibit a pupil from participating in high school athletics*
17 *involving a CIF-sanctioned or sponsored athletic competition*
18 *unless that pupil has done both of the following:*

19 (1) *Consented, in writing, to random urinalysis testing for*
20 *anabolic steroids pursuant to Section 49033.5.*

21 (2) *Acknowledged, in writing, both of the following:*

22 (A) *Only a medical doctor may prescribe an anabolic steroid*
23 *for a person.*

24 (B) *It is illegal to possess, dispense, deliver, or administer an*
25 *anabolic steroid in a manner contrary to state law.*

1 SEC. 2. *Section 49033.5 is added to the Education Code, to*
2 *read:*

3 49033.5. (a) *The California Interscholastic Federation (CIF)*
4 *shall adopt rules for and administer an anabolic steroid testing*
5 *program under which pupils participating in athletics involving*
6 *CIF-sanctioned or sponsored athletic competition are tested*
7 *randomly for the presence of steroids in their bodies pursuant to*
8 *urinalysis. The testing program shall satisfy all of the following:*

9 (1) *Be administered at approximately 10 percent of the high*
10 *schools in this state at four different times during each school year.*
11 *The high schools and timing of the testing shall be selected*
12 *randomly by the CIF.*

13 (2) *Require random testing at each selected high school of*
14 *approximately 10 percent of the pupils at that school who are*
15 *participating in athletics after signing the pledge to abstain from*
16 *using anabolic steroids without a prescription, providing written*
17 *consent to random urinalysis testing for anabolic steroids, and*
18 *acknowledging the laws regarding anabolic steroids, as required*
19 *pursuant to Section 49033.*

20 (3) *Protect confidentiality of test results by authorizing*
21 *disclosure of the results only to the pupil, his or her parent, the*
22 *CIF, and the athletic director and principal or assistant principal*
23 *of the school attended by the pupil, unless otherwise required by*
24 *a court order.*

25 (4) *Provide for a process of confirming any initial positive test*
26 *result through a subsequent test conducted as soon as practical*
27 *after the initial test, using a sample that was obtained at the same*
28 *time as the sample used for the initial test.*

29 (5) *Require the testing of samples to be performed by an*
30 *anabolic steroid testing laboratory with a current certification*
31 *from the United States Department of Health and Human Services,*
32 *the World Anti-Doping Agency, or other appropriate national or*
33 *international certifying agency.*

34 (b) *The department shall contract with the CIF for the CIF to*
35 *administer the anabolic steroid testing program using funds*
36 *appropriated for this purpose. The department shall apply to the*
37 *federal government for any funds available for purposes of random*
38 *testing for anabolic steroids in schools.*

39 ~~SECTION 1. Section 49035 is added to the Education Code,~~
40 ~~to read:~~

1 ~~49035. (a) A pupil enrolled in any of grades 9 to 12, inclusive,~~
2 ~~shall not participate in interscholastic high school sports unless~~
3 ~~that pupil and one of his or her parents or legal guardians signs a~~
4 ~~form consenting to:~~

5 ~~(1) Random urinalysis testing for steroid use.~~

6 ~~(2) Mandatory testing for steroid use, if the pupil is a member~~
7 ~~of a sports team that qualifies to participate in a regional~~
8 ~~championship, state championship playoff, or state championship~~
9 ~~game.~~

10 ~~(b) (1) A school district may conduct random urinalysis testing~~
11 ~~for steroid use to which consent has been given pursuant to~~
12 ~~paragraph (1) of subdivision (a).~~

13 ~~(2) A school district shall conduct mandatory urinalysis testing~~
14 ~~for steroid use to which consent has been given pursuant to~~
15 ~~paragraph (2) of subdivision (a).~~

16 ~~SEC. 2. If the Commission on State Mandates determines that~~
17 ~~this act contains costs mandated by the state, reimbursement to~~
18 ~~local agencies and school districts for those costs shall be made~~
19 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
20 ~~4 of Title 2 of the Government Code.~~